

DUCK LANE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 27, 2006
5:30 P.M. -- CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall for the final hearing on the improvement to Duck Lane. Present at the hearing was Mayor Jay Andolshek and Councilmembers Dick Phillips, Terry Curtis and Dean Swanson. Absent was Councilmember Dean Eggena. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, City Attorney Paul Sandelin, Public Works Director Ted Strand, Community Development Director Ken Anderson, General Manager Paul Hoge and Deputy Clerk Charlene Nelson. There was one individual in the audience in addition to Staff. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Andolshek called the public hearing to order at 5:30 P.M. and stated that the purpose of the hearing was to take questions and public comments regarding the assessment proposed for Duck Lane.

City Administrator Tom Swenson read the Affidavit of Mailing confirming that the notice of final assessment hearing was deposited in the U.S. Post Office on November 16, 2006 enclosed in a prepaid envelope along with the record of assessment showing the proposed cost to each benefiting property owner along with a Project Summary. Property owner names and addresses were obtained from the Crow Wing County Auditor's Office most recent database provided to the City. On November 9, 2006 the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo. There was no correspondence received regarding this project.

City Engineer Dave Reese presented the project summary for the road improvement project. Reese stated that the project came in lower than what was estimated during the feasibility study. Widseth Smith Nolting estimated the cost of the project at \$55,300 with 10 equivalent lots for an estimated assessment of \$2,765 per lot. The actual cost came in at \$53,375.00. The City's share of the cost of the road is \$26,687.50 and the 12 equivalent lots will each receive an assessment of \$2,223.96.

The hearing was open to the Council and public for questions. Dick Phillips asked what type of legal expenses were incurred on this project. Tom Swenson replied that the cost includes the City Attorney's attendance at the hearings, as is past practice with the City. Dave Reese added that this is a legal meeting and WSN advises cities to have legal representation present. Dick Phillips replied that it is an easy way for the attorney to make a buck. Attorney Sandelin stated that he does not care whether or not he attends the hearings. Dean Swanson added that the Council has needed his advice in the past during road assessment hearings.

There being no further comments or questions, MOTION PH1-11-01-06 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN SWANSON TO APPROVE

RESOLUTION NO. 06-52 ADOPTING ASSESSMENT FOR DUCK LANE SINCE IT IS THE BELIEF OF THE COUNCIL THAT THE IMPROVEMENT WILL INCREASE THE MARKET VALUE OF THE PROPERTY AS A RESULT OF THE ROAD PROJECT. MOTION CARRIED WITH ALL AYES.

MOTION PH1-11-02-06 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN SWANSON TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 5:39 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

A handwritten signature in cursive script that reads "Charlene Nelson".

Charlene Nelson
Deputy Clerk

Deputy Clerk/ Minutes/11-27 Duck

RESOLUTION 06-52
RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to proposed assessment for the improvement of Duck Lane from the intersection of West Shore Drive (approximately 1100 feet) to the end of the cul-de-sac.

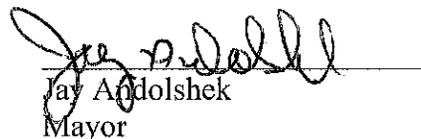
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday of January 2007, and shall bear interest at the rate of 5.5% per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2006. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31st of the year in which such payment is made. Such payment must be made before November 15th or interest will be charged through December 31st of the next succeeding year.
4. The Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Council this 27th day of November 2006.



Thomas N. Swenson
City Administrator



Jay Adolshek
Mayor

